

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEAN LIN,

07-CV-3218 (RJH)

Plaintiff,

- against -

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.
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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed affirmation of Tomasita Sherer affirmed on July 3, 2008, and upon the exhibits attached thereto, the accompanying Memorandum of Law in Support of Defendant's Motion for Summary Judgment, and the Affidavits of Regina Solomon-Stowe, Daniel Zamarripa, and Peggy Chou, and upon the exhibits attached thereto, Defendant will move this Court before the Honorable Richard J. Holwell, U.S.D.J., at the United States Courthouse located at 500 Pearl Street, Room 17B, New York, N.Y. 10007, for an Order directing entry of Summary Judgment pursuant to Federal Rule of Civil Procedure 56, dismissing Plaintiff's complaint in its entirety with prejudice, and granting Defendant's Counterclaim for a declaration that the Policy is void *ab initio*, together with such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that counsel for Defendant hereby requests oral argument.

Dated: July 3, 2008
Long Island City, NY

METROPOLITAN LIFE INSURANCE
COMPANY

By: /s/ Tomasita Sherer (TH 6072)

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